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FM AMEMBASSY JAKARTA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0126  
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY  
RUEHGV/USMISSION GENEVA PRIORITY 7832  
RUEHBY/AMEMBASSY CANBERRA 3054  
RUEHLM/AMEMBASSY COLOMBO 1309  
RUEHKA/AMEMBASSY DHAKA 1279  
RUEHNE/AMEMBASSY NEW DELHI 2246  
RUEHKO/AMEMBASSY TOKYO 2507  
RUEHWL/AMEMBASSY WELLINGTON 3084  
RUEHHK/AMCONSUL HONG KONG 2976  
RUEHPT/AMCONSUL PERTH 1142  
RHMFIUU/BUMED WASHINGTON DC  
RHHJJPI/USPACOM HONOLULU HI  
RUENAAA/SECNAV WASHDC  
RUEKJCS/SECDEF WASHDC  
RUEAWJB/DEPT OF JUSTICE WASHDC  
RULSAV/NAVMEDEDRSCHCEN SILVER SPRING MD  
RHEHNSC/NSC WASHDC  
RUEAIIA/CIA WASHDC  
RHEFDIA/DIA WASHINGTON DC

UNCLAS JAKARTA 001768

SENSITIVE  
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DEPT FOR P, EAP, EAP/MTS, EAP/MLS, EAP/RSP, G/AIAG,  
OES/IHA, L, L/DL FOR DICKERSON  
USAID FOR ANE/CLEMENTS AND GH/CARROLL  
DEPT PASS TO HHS/WSTEIGER/ABHAT/MSTLOUIS AND HHS/NIH  
DEPT PASS TO USDA/FAS/OSTA BRANT, ROSENBLUM  
DOJ FOR OFL/HOLLIS  
DOJ FOR OFL/HERRUP  
GENEVA FOR WHO/HOHMAN  
NSC FOR E.PHU  
SECDEF FOR USDP/ISA/APSA D.WALTON

E.O. 12958: N/A

TAGS: [PGOV](#) [TBIO](#) [KFLU](#) [KLIQ](#) [ID](#)

SUBJECT: AVIAN INFLUENZA LAWSUIT AGAINST USG: PLAINTIFF  
NO-SHOW AT SEPT. 17 HEARING

REF: JAKARTA 1742 AND PREVIOUS

1. (U) This message is Sensitive But Unclassified. Please handle accordingly.

2. (SBU) Legal proceedings were scheduled to begin in the Central Jakarta District Court on September 17 in the avian-influenza lawsuit against the USG and the World Health Organization (refs). On DEPLU's advice, neither the USG nor its agent appeared at the September 17 proceedings. Mission did send an FSN to observe the proceedings.

3. (SBU) The court clerk told an FSN that because the plaintiff did not attend the proceedings, the hearing was canceled. The clerk stated that the judge had postponed the hearing until October 10.

4. (SBU) The court has asked the plaintiff to provide additional funds for administrative fees. In civil cases, the plaintiff must pay a fee for the issuance of a summons. The court has issued three summons to the defendants and there is no longer any funding available for a fourth summons. According to the clerk, the plaintiff was asked to provide additional funds to the court if the plaintiff intended to continue the case. The plaintiff has not complied with the court's request.

5. (SBU) If the plaintiff provides additional funding before October 10, the court could issue a fourth and final summons to the defendants. If there is a fourth hearing, and the

defendants do not appear, the case could proceed and the judge could issue a ruling without the defendants present. The clerk explained that if the plaintiff had not provided the requested funds before October 10, the clerk would request that the judge dismiss the case for failure to pursue the claim.

¶6. (SBU) There was no press coverage of the court proceedings.  
HUME